

**Amendment No. 1 to HB1406**

**Halford  
Signature of Sponsor**

**AMEND Senate Bill No. 1429**

**House Bill No. 1406\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-12-139, is amended by deleting subsection (c) and substituting the following:

(1) A premises permit shall be issued if the premises meet minimum standards established by board rules as to sanitary conditions and physical plant. In lieu of the procedures identified in subsection (b), the board may issue a premises permit upon certification by the applicant that the premises have been inspected and accredited by a recognized organization, the standards of which are found by the board to meet or exceed the minimum standards established by board rules.

(2) Except as provided in subdivision (c)(3), all veterinary facilities located in retail establishments shall have an entrance into the permitted premises that is directly on a public street or other area which adjoins the establishment, and such entrance shall be separate from the entrance primarily used by regular retail customers. For purposes of this chapter, "retail establishment" means any retail store in excess of two thousand five hundred (2,500) square feet that primarily sells goods not related to the practice of veterinary medicine; companion animal retail facilities that primarily sell goods in the categories of companion animal nutrition, food, supplies, and behavioral products; or any veterinary facility located in an enclosed shopping mall or enclosed shopping center.

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(3) Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that have a separate entrance used by regular retail customers shall maintain and utilize the separate entrance in order to comply with subdivision (c)(2). Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that do not have a separate entrance used by regular retail customers on July 1, 2016, are in compliance with subdivision (c)(2).

(4) The costs of any inspection undertaken by the board shall be set by the board and paid in advance by the applicant, in addition to the fee established by the board for the premises permit.

SECTION 2. Tennessee Code Annotated, Section 63-12-101, is amended by deleting the language "of 1967".

SECTION 3. Tennessee Code Annotated, Section 63-12-103(10), is amended by designating all of the existing language as subdivision (A), redesignating the existing subdivisions within subdivision (10) accordingly, and adding the following language as a new subdivision:

(B) The practice of veterinary medicine occurs wherever the patient is at the time services are rendered;

SECTION 4. Tennessee Code Annotated, Section 63-12-124(a), is amended by deleting the word "or" at the end of subdivision (27), replacing the period "." at the end of

subdivision (28) with the language "; or", and adding the following language as a new subdivision:

(29) Practicing veterinary medicine without establishing and maintaining a valid veterinarian-client-patient relationship.

SECTION 5. Tennessee Code Annotated, Title 63, Chapter 12, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section, "veterinary wellness committee" or "committee" means any committee, board, commission, or other entity established by any state-wide veterinary medical association or local veterinary medical association for the purpose of providing immediate and continuing help to veterinary professionals licensed to practice veterinary medicine or veterinary technology, students of veterinary medicine and veterinary technology, certified animal euthanasia technicians, and employees of veterinary practices in this state who suffer from physical or mental conditions that result from disease, disorder, trauma, or age and that impair their ability to perform their duties in veterinary medicine with reasonable skill and safety.

(b) Veterinary wellness committee members, employees, and agents, including volunteers, taking any action authorized by this chapter, engaging in the performance of any duties on behalf of the committee, or participating in any administrative or judicial proceeding resulting from their participation on the committee, shall be immune from civil or criminal liability with respect to any action taken in good faith and without malice.

(c) All information, interviews, reports, statements, memoranda, or other data furnished to or produced by a veterinary wellness committee and any findings, conclusions, reports, or recommendations resulting from the proceedings of the committee are privileged and confidential. Information and

actions taken by the committee shall be privileged and held in strictest confidence and shall not be disclosed or required to be disclosed to any person or entity outside of the committee, unless such disclosure is authorized by the member of the veterinary profession to whom it relates. Nothing contained in this subsection (c) applies to records, documents, or information otherwise available from original sources, and such records, documents, or information are not immune from discovery or use in any civil proceedings solely due to having been presented to the committee.

SECTION 6. This act shall take effect July 1, 2016, the public welfare requiring it.